

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SHANTA PEARSON,

Plaintiff,

ORDER

v.

20-cv-487-wmc

NOVACARE, JEFFREY
MANLOVE, JOHN DOE,
and JANE DOE,

Defendants.

Pro se plaintiff Shanta Pearson filed a proposed amended civil complaint alleging that defendants have failed to adequately treat his plantar fasciitis and related foot pain. (Dkt. #18.) Pearson now asks to withdraw his amended complaint voluntarily and for a refund of the filing fee. (Dkt. #22.) In support, Pearson explains that he would now like to pursue a state-law negligence claim in state court instead, but he is indigent and therefore needs the filing fee he paid in this matter to do so. Pearson has provided sufficient justification for withdrawing his amended complaint and having his filing fee refunded. Further, dismissing this case will not prejudice the defendants since this case has not yet been screened.

Accordingly, IT IS ORDERED that:

- 1) Plaintiff Shanta Pearson's motion to voluntarily dismiss his case and for a refund of the filing fee (dkt. #22) is GRANTED.
- 2) Plaintiff's request for expedited screening (dkt. #19) is DENIED as moot.
- 3) This case is DISMISSED without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1).

Entered this 14th day of July, 2022.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge